ಮಾನ್ಯ ಶ್ರೀ ಕೆ. ಟಿ. ಭಾಷ್ಯಂರವರು.—ಅತಂತ್ರ ವಾಗಿದೆಯೆಂದು ಅವರು ಹೇಳಿಲ್ಲ; Improvement ಆಗಬೇಕೆಂದು ಹೇಳಿದ್ದಾರೆ; ಅಷ್ಟೆ.

MOTION FOR ADJOURNMENT

Alleged Arrests of Raiyats attempting to cultivate their lands in Kagodu and other Villages in Sagar Taluk.

Mr. SPEAKER (The Hon'ble Sri V. Venkatappa).—ಶ್ರೀ ಸಿದ್ದಪ್ಪನವರು ಒಂದು, ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು ಮತ್ತು ಕೆಲವು ಮಿತ್ರರು ಮತ್ತೊಂದು ನಿಲುವಳಿ ನೂಚನೆಯನ್ನು ಕಳುಹಿಸಿ ಕೊಟ್ಟಿದ್ದಾರೆ. ಅವುಗಳ admissibility ವಿಷಯದಲ್ಲಿ ಸ್ವಲ್ಪ ಅನುಮಾನವಿದೆ.

ಶ್ರೀ ಸಿದ್ದಪ್ಪನವರು.—ಅದು ಹೇಗೆ admissible ಎಂಬುದನ್ನು ತಿಳಿಸಿದರೆ ಒಳ್ಳೆಯದು.

Hon'ble MEMBERS.—What are the adjournment motions about?

Mr. SPEAKER.—ಆ ನಿಲುವಳಿ ನೂಚನೆಗಳು ಈ ರೀತಿ ಇವೆ:

"That this Assembly do stand adjourned to discuss a definite matter of urgent public importance and of recent occurrence, viz., the repressive action taken by Government in indiscriminate arrest since 16th May 1951, of the raiyats attempting to cultivate their lands in Kagodu and other villages in Sagar Taluk of Shimoga District"

"This House do now stand adjourned to raise a debate on a definite matter of urgent public importance and of recent occurrence, namely, the unhappy situation that has disturbed the public peace in Kagodu Village, Shimoga District, owing to the Satyagraha by raiyats and the indiscriminate acts of violence on and arrests of the people by the police."

Sri L. SIDDAPPA (Shimoga District—General).—This is a matter which has been agitating the minds of the people of the State. It is a matter of recent occurrence as I have said in the motion itself because it has taken place in the course of this month. The raiyats who have been cultivating the lands are being arrested at the instance of the landholders. There has been any amount of agitation going on and so much matter is being published in the press also every day that these raiyats who are the tenants under the landholders are being arrested indiscriminately at the instance of the landholders.

Mr. SPEAKER.—In respect of these alleged in indiscriminate arrests, is there any Government Order?

Sri L. SIDDAPPA.—Otherwise, who would arrest them?

The Hon'ble Sri T. MARIAPPA (Home Minister).—There is no Government Order.

Sri L. SIDDAPPA.—There need not be any Government Order. But when such a thing has taken place, it is certainly the duty of the Government to prevent such a thing. When they have not taken any action to prevent such a thing, the responsibility of the Government is there.

Sri A. BHEEMAPPA NAIK (Chitaldrug District—General).—I think this is not the stage for giving an explanation but it is only after the motion is allowed and discussed.....

Mr. SPEAKER.—To admit the motion or otherwise, I wanted to know whether there was any Government Order in respect of the subject matter of the motion.

Sri A. BHEEMAPPA NAIK.—Only two points required to be considered: whether it is of recent occurrence and whether it is of public importance. He has said that it is of recent occurrence. The Government will have an opportunity to explain. Sir, it is undoubtedly a matter of public importance because arrests in these days.....

Mr. SPEAKER.—There is no doubt that it is of public importance. But if it is an action taken in the ordinary course of administration it would not be admissible.

Sri A. BHEEMAPPA NAIK.—The action taken is not in the ordinary course of administration; it is extraordinary when peaceful raiyats are being arrested. It is wholesale arrest of satyagrahis of an institution like the Socialists coming in and espousing the cause of the raiyats. It is better that the motion is taken up and discussed.

Mr. SPEAKER.—What has the Hon'ble Minister to say?

The Hon'ble Sri T. MARIAPPA.—The adjournment motion, Sir, I beg to submit very respectfully to the Chair, is not admissible, because Sri L. Siddappa has not made out a proper case even though Sri A. Bheemappa Naik has tried to supply him with some information. Action has been

taken in the ordinary course of law. It is a matter in which there was a complaint and then there was investigation and thereafter charge-sheets have been placed. There are a number of cases pending. Therefore, there is nothing which the Government have done either extra legal or extra judicial. All the cases that are now put up are so done in the usual course of administration of law. In fact about six cases are pending and the matter is *sub judice*.

With regard to the raiyats and the land-holders, I submit this is not the forum where we can adjudicate the rights between the two parties. There is a complaint, there is the investigation and charge-sheets have been placed. The relevant rule is

"The motion must not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India."

So the motions are inadmissible.

Mr. SPEAKER.—If it is *sub judice*, of course Sri Siddappa also will agree that the motions are inadmissible.

Sri L. SIDDAPPA.—The motion is not about the cases of these but about the indiscriminate arrests of the raiyats who went to cultivate their lands. That is the subject matter.

Mr. SPEAKER.—It is arrest of trespassers; not of all raiyats.

Janab MAHOMED HANIEF (Bangalore—Muslim).—The complaint appear to be from the land-holders that the raiyats have trespassed. That is exactly the point he is questioning: it is on a large scale and at the instance of the landlords, on the ground that they have trespassed; it must have led to some excitement. It is a matter of public interest. My point is, there should not be adjudication here for determining the rights of the raiyats and the landlords. If the very basis on which it has proceed is that the raiyats have trespassed on the landlords' lands leading to a breach of the peace, certainly, Government stepping in is all right. But if it is because there are complaints Government have stepped in, it is a different point.

Sri L. SIDDAPPA.—At this stage, we are concerned with two points, whether the matter is of recent occurrence and of public importance. I have submitted that it satisfies both the conditions.

Mr. SPEAKER.—If it is *sub judice*, we cannot discuss it, as the Hon'ble Member himself knows.

Sri L. SIDDAPPA.—We are not discussing any matter connected with the cases.

Mr. SPEAKER.—Without entering into these matters how can you discuss whether the arrests made are proper or not? What else can you discuss here?

The Hon'ble Sri T. MARIAPPA.—They have been arrested and many of them have been left on bail also.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು (ತುಮಕೂರು ಜಿಲ್ಲೆ).—ಈಗ ಚರ್ಚೆ ನಡೆಯಬೇಕಾಗಿರತಕ್ಕದ್ದು, ಅಲ್ಲಿ ಪೋಲೀಸಿನವರು ರೈತರನ್ನು ಹೆದರಿಸಿ, ಅವರಿಗೆ, ಜಮೀನಿನ ಮೇಲಿದ್ದ ಹಕ್ಕನ್ನು ತಪ್ಪಿಸಿರುವ ವಿಚಾರದ ಬಗ್ಗೆ ಮಾತನಾಡಬೇಕಾಗಿದೆ.

ಅಧ್ಯಕ್ಷರು.—ಹಾಗೆ ಮಾತನಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಆ ಸಂಬಂಧದಲ್ಲಿ ಕೋರ್ಟಿಗೆ ಛಾರ್ಜು ಷೀಟ್ ಹಾಕಿ, ಕೆಲವರನ್ನು ಜಾಮೀನಿನ ಮೇಲೆ ಬಿಟ್ಟಿರುವುದಾಗಿ ತಿಳಿಸಿದ್ದಾರೆ. ಆದಕಾರಣ, ಆ ವಿಚಾರವಾಗಿ ಈಗ ಹೇಗೆ ಮಾತನಾಡಲು ಅವಕಾಶವಿದೆ?

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ಅಲ್ಲಿ ಪೋಲೀಸಿನವರು ಜನರಿಗಿದ್ದ ಹಕ್ಕನ್ನು ತಪ್ಪಿಸಲು, ತಾವು ಮುಂದಾಳಾಗಿರುವುದರಿಂದ.....

ಅಧ್ಯಕ್ಷರು.—ಹಾಗೆ ಅಲ್ಲಿನ ರೈತಾಪಿ ಜನರಿಗೆ ಏನು ಹಕ್ಕಿತ್ತು ಎಂಬುದನ್ನೆಲ್ಲಾ ತೀರ್ಮಾನ ಕೊಡತಕ್ಕ ಅಧಿಕಾರ ಕೋರ್ಟಿಗಿರತಕ್ಕದ್ದಾಗಿದೆ. ಹಾಗೆ ಕೋರ್ಟಿನ ಮುಂದೆ ಈ ವಿಚಾರ ಪರಿಶೀಲನೆಗೆ ಬಂದಿರುವಾಗ ಅದೇ ವಿಚಾರವನ್ನು ಇಲ್ಲಿ ಚರ್ಚೆಮಾಡಲು ಹೇಗೆ ಸಾಧ್ಯ?

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡರು.—ನಿಲುವಳಿ ಸೂಚನೆಯನ್ನು ಅಂಗೀಕಾರಮಾಡಲು ಏನು ಮೆರಿಟ್ಸ್ ಇರಬೇಕೋ, ಅದನ್ನು ಮಾತ್ರ ನೋಡಿ, ತಾವು ಇದನ್ನು ತೀರ್ಮಾನ ಮಾಡಬೇಕಲ್ಲವೆ?

ಅಧ್ಯಕ್ಷರು.—ಈಗ ಈ ನಿಲುವಳಿ ಸೂಚನೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಚಾರ ಸಬ್‌ಜುಡೀಸ್ ಆಗಿರುತ್ತೆಂದು ತಿಳಿಸಿರುವುದರಿಂದ ಇವನ್ನು ಚರ್ಚೆಮಾಡಲು ಅವಕಾಶ ಕೊಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ.

Sri L. SIDDAPPA.—Is it on the ground that it is *sub judice*?

Mr. SPEAKER.—Yes.